IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPLICATION NO.1728 OF 2007

Arunkumar Dilipchandra Bhattacharya ..Applicant.
Vs.
Bharat Girdharilal Gandhi & Ors. ..Respondents.

Applicant present in person.

Mr.Y.S.Shinde, APP for the Respondents.

CORAM : J.H.BHATIA, J.
DATE : JUNE 27, 2007.

P.C.

1. Heard the applicant in person.

2. Record reveals that the applicant, who was previous Government employee was prosecuted in Criminal Case No.1615/P/1983 and after trial, he was acquitted on 5th January, 2002. Thereafter, he filed two criminal cases, one was criminal case no.19/Misc/2002 under Sections 193, 194 and 198 of I.P.C. as well as under Section 340 of the Cr.P.C. Other was Criminal Case No.10/S/1990 under Sections 467, 468 and 477(A) read with Section 34 of the I.P.C. On 18th July, 2005, the applicant filed pursis/applications in both the matters separately to the effect that he wanted to withdraw and did not want to press the proceedings. After hearing, the learned Magistrate allowed him to withdraw the petitions and disposed of the matters for

want of prosecution.

3. Thereafter, the applicant filed application dated 30th August, 2005 seeking cancellation of withdrawal of the cases and for revival of those cases. That application was rejected by the Metropolitan Magistrate after hearing the parties. This order was challenged in Criminal Revision Application No.850 of 2006 and after hearing the Additional Sessions Judge, Greater Bombay dismissed the Revision Application on 24-1-2007. Against that order, the applicant has come to this Court under Section 482 of the Cr.P.C.

4. After perusal of the record and after hearing the applicant in person, I am satisfied that there is no fault in the orders passed by the Courts below. The applicant can not be allowed to withdraw and then to revoke the withdrawal again as per his wish and as and when he so desires. Therefore, I find no substance in the present application.

5. In the result, application stands rejected.

[J.H.BHATIA, J.]